

TITLE 60

OVERSIGHT COMMITTEE ON PUBLIC RECORDS

- Art. 1. GENERAL PROVISIONS (*REPEALED*)
Art. 1.1. GENERAL PROVISIONS
Art. 2. MICROFILMING STANDARDS FOR SOURCE DOCUMENTS WITH A RETENTION PERIOD OF MORE THAN FIFTEEN (15) YEARS

ARTICLE 1. GENERAL PROVISIONS (*REPEALED*)

(Repealed by Oversight Committee on Public Records; filed Aug 1, 1980, 9:15 am: 3 IR 1483)

ARTICLE 1.1. GENERAL PROVISIONS

- Rule 1. Definitions; Collection of Religious Information; Lists
Rule 2. Restricted Information (*Repealed*)

Rule 1. Definitions; Collection of Religious Information; Lists

- 60 IAC 1.1-1-1 Definitions
60 IAC 1.1-1-2 Religious information on individuals
60 IAC 1.1-1-3 Disclosure of names and addresses for solicitation purposes

60 IAC 1.1-1-1 Definitions

Authority: IC 5-15-5.1-20

Affected: IC 4-1-6-1; IC 5-15-5.1-1

Sec. 1. As used in this rule [60 IAC 1.1], unless the context clearly requires another meaning, the following terms have the meanings set forth in this section.

(A) "Agency" means a "state agency" as defined in IC 4-1-6-1.

(B) "Oversight committee" means the oversight committee on public records.

(C) "Preparation" means any method of generation, including photo-reproduction or transcription of media for automatic data processing. (*Oversight Committee on Public Records; 60 IAC 1.1-1-1; filed Aug 1, 1980, 9:15 am: 3 IR 1479; filed Nov 4, 1983, 9:41 am: 7 IR 23; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 1.1-1-2 Religious information on individuals

Authority: IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 2. Collection of religious information about specific individuals is authorized under the following circumstances where religious information:

(A) Is voluntarily given and is needed to provide specialized individual services, such as special diets in state institutions, rehabilitative programs, or selective provisions of reading materials;

(B) Is voluntarily given and is incidental to the collection or other documentation in programs specifically

mandated to preserve the historical, cultural or other heritages of the state; or

(C) Is needed to carry out responsibilities of the state for affirmative action or civil rights.

In each instance where a state agency wishes to collect religious information, the agency shall submit to the Oversight Committee a request for such collection. The request shall specify what kind of information is to be obtained, from whom, the specific uses of such information, whether or not such information will appear in any unrestricted record, whether or not the purpose for which collection is requested could be accomplished without the collection, and which provision of this section justifies the collection. The Oversight Committee shall consider each request separately, and shall maintain a list of the agencies and record series in which religious information may appear. No agency shall use religious information for any purpose other than that set forth in an approved request without making an additional request to the Oversight Committee. (*Oversight Committee on Public Records; 60 IAC 1.1-1-2; filed Aug 1, 1980, 9:15 am: 3 IR 1479; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

60 IAC 1.1-1-3 Disclosure of names and addresses for solicitation purposes

Authority: IC 5-15-5.1-20

Affected: IC 4-1-6-2; IC 5-15-5.1-10

Sec. 3. The Oversight Committee will consider requests from agencies for authority to prepare lists of names and addresses for commercial or charitable solicitations only under extraordinary circumstances. In such cases the following conditions must be met:

(A) The agency must make a separate request to the Oversight Committee each time the agency wishes to prepare a list.

(B) The agency in its request for authority must:

(1) specify the type of personal information that will appear in the list;

(2) certify that no confidential or restricted information is included with the names and addresses;

(3) specify how the expected use of the list will result in a direct benefit to the citizens of Indiana that cannot otherwise be provided; and

(4) describe the means to allow any person included in a list to have information about him/her deleted from any subsequent list prepared for commercial or charitable solicitation and to notify such persons of their right to be removed upon request.

(C) The agency must require persons who obtain and use the list to pay the cost of preparation, including any

associated costs of notifying data subjects of their right to be deleted from a list upon request.

(D) The agency must require persons who request the list to agree to use the list only for the specific purposes that the Oversight Committee authorizes and must notify recipients of the list that unauthorized use will cause denial of future requests.

If satisfied that the requirements of this section are met, the Oversight Committee may authorize by motion the preparation of the list of names and addresses. (*Oversight Committee on Public Records; 60 IAC 1.1-1-3; filed Aug 1, 1980, 9:15 am: 3 IR 1480; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268*)

Rule 2. Restricted Information (Repealed)

(*Repealed by Oversight Committee on Public Records; filed Nov 4, 1983, 9:41 am: 7 IR 23*)

ARTICLE 2. MICROFILMING STANDARDS FOR SOURCE DOCUMENTS WITH A RETENTION PERIOD OF MORE THAN FIFTEEN (15) YEARS

Rule 1. General Provisions

Rule 2. Microfilming Standards

Rule 1. General Provisions

- 60 IAC 2-1-1 Purpose
- 60 IAC 2-1-2 Fiscal impact (*Repealed*)
- 60 IAC 2-1-3 Permanency (*Repealed*)

60 IAC 2-1-1 Purpose

Authority: IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1-1; IC 5-15-5.1-5

Sec. 1. The purpose of these microfilming standards is to create minimum legal, legibility, permanency standards for source document microfilm generated by agencies subject to IC 5-15-5.1-1. (*Oversight Committee on Public Records; 60 IAC 2-1-1; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1358; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1086; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2604*)

60 IAC 2-1-2 Fiscal impact (Repealed)

Sec. 2. (*Repealed by Oversight Committee on Public Records; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2607*)

60 IAC 2-1-3 Permanency (Repealed)

Sec. 3. (*Repealed by Oversight Committee on Public Records; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2607*)

Rule 2. Microfilming Standards

- 60 IAC 2-2-1 Application of standards
- 60 IAC 2-2-2 Definitions
- 60 IAC 2-2-3 Documentation
- 60 IAC 2-2-3.1 Preparation of documents for microfilming
- 60 IAC 2-2-4 Legibility
- 60 IAC 2-2-5 Permanency
- 60 IAC 2-2-5.1 Notice and certification of destruction
- 60 IAC 2-2-6 Specifications (*Repealed*)
- 60 IAC 2-2-7 Admissibility in courts (*Repealed*)

60 IAC 2-2-1 Application of standards

Authority: IC 5-15-5.1-5; IC 5-15-5.1-20

Affected: IC 5-15-5.1-19

Sec. 1. All agencies, as defined by IC 5-15-5.1, shall meet the standards set forth under this article regarding the use of microfilm for the preservation of any record generated by that agency. Only those records or record series that have been approved by the oversight committee on public records under IC 5-15-5.1-19 shall be eligible for microfilming. (*Oversight Committee on Public Records; 60 IAC 2-2-1; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1088; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2604*)

60 IAC 2-2-2 Definitions

Authority: IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1-1; IC 5-15-5.1-18

Sec. 2. The following definitions apply throughout this article:

- (1) "AIIM" means Association for Information and Image Management.
- (2) "ANSI" means American National Standards Institute.
- (3) "Critical records" has the meaning set forth at IC 5-15-5.1-1.
- (4) "ISO" means International Organization for Standardization.
- (5) "LE" means life expectancy.
- (6) "Microfilm", when used as a noun, means a photographic film containing an image greatly reduced in size from the original, and when used as a verb, means the recording of microphotographs on film.
- (7) "Microform" is a generic term for any form, usually film, which contains microimages.
- (8) "MS" means microfilming standards.
- (9) "Oversight committee" means the oversight committee on public records under IC 5-15-5.1-18.
- (10) "PIMA" means Photographic & Imaging Manufacturers Association, Inc.
- (11) "Record retention schedules" means a series of

documents governing, on a continuing basis, the retention and disposition of recurring record series of an agency, court, or organization.

(12) "Record series" means a group of related documents, either as to form or content, which are arranged under a single filing system, or kept together as a unit because they:

- (A) consist of the same form;
- (B) relate to the same subject;
- (C) result in the same activity; and
- (D) have certain physical characteristics (tapes, discs, microforms).

(13) "Reproduction" means the process of making an exact copy from an existing document.

(14) "Standard" means a uniformly accepted set of compliances to a predefined norm.

(Oversight Committee on Public Records; 60 IAC 2-2-2; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1088; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2604)

60 IAC 2-2-3 Documentation

Authority: IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 3. A formal written documentation file shall be created and retained for the life of the microfilm based upon an approved retention schedule documenting the following:

- (1) The authority to microfilm specifically enumerated records.
- (2) The arrangement of originals to be microfilmed.
- (3) Any weeding policy of documents to determine what papers from the file will be placed on microfilm.
- (4) Any contracts with agents of record custodians, in-house or vendor, who will perform the actual microfilming.
- (5) The reproduction process employed to assure accuracy.
- (6) Verification of the microfilm for completeness and legibility according to the following standards as approved by the oversight committee in record retention schedules:

(A) Level A, frame-by-frame verification of microfilm containing the following records:

- (i) Critical records.
- (ii) Records that document the continuing protection of public and private rights.
- (iii) Records that are significant to the functions of government.

(B) Level B, proof of verification by performing a cross-check of microfilm of the following records

with original records by order or arrangement:

- (i) Records that are not critical records.
- (ii) Records that document the performance of agency functions.

(C) Level C, verification by comparing a significant sample of documents to microfilm for all other records not covered under Levels A and B. If any errors are detected, verification shall be made under Level B.

(7) The justification for the microfilming of the originals, that is, space reduction, security, and the written process for the destruction of originals as authorized by an approved retention schedule.

(8) The identity of persons who supervised the microfilming procedures who are capable of giving evidence of these procedures.

(9) The retention schedule for the documentation matching the length of time of the microform.

(10) Certification of compliance with this section to the director, Indiana commission on public records.

(Oversight Committee on Public Records; 60 IAC 2-2-3; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1359; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1089; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2605)

60 IAC 2-2-3.1 Preparation of documents for microfilming

Authority: IC 5-15-5.1

Affected: IC 5-15-5.1

Sec. 3.1. Agencies shall prepare documents for microfilming as follows:

- (1) Organization of documents.
- (2) Preparation of an index to be submitted with the documents.
- (3) Removal of staples, paper clips, or other fasteners.

(Oversight Committee on Public Records; 60 IAC 2-2-3.1; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2605)

60 IAC 2-2-4 Legibility

Authority: IC 5-15-5.1-1; IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 4. (a) Resolution in a microfilm system for documents shall be tested for resolution capability, upon installation, by use of a camera test chart provided in ANSI/AIIM MS23-1998. Micrographics systems used for agency records must meet the following standards:

- (1) A micrographic system for documents must produce a quality index level of not less than 5.0 for first-generation microfilm as measured according to ANSI/AIIM MS23-1998. In applying this ANSI

standard, a lowercase letter “e” height of one and four-tenths (1.4) millimeters or less must be used.

(2) All pattern groups on the camera test chart must be read. The smallest line pattern, which corresponds to the highest number, in which both horizontal and vertical lines are clearly discernible is the resolving power of that pattern group.

(3) The film used in reading the camera test chart must be processed to the density standard in subsection (b).

(b) Density in microfilm systems used for agency records must meet the following standards:

(1) Background density in first-generation negative microfilm of documents must be maintained as nearly as practical in the range of 0.92 to 1.20. No density over 1.25 or under 0.87 is allowed.

(2) If a density in first-generation negative microfilm of documents occurs in the ranges 0.87 to 0.91 or 1.21 to 1.25, the records custodian shall determine by visual inspection that all such images satisfactorily reproduce all required record information.

(3) The density of microfilm in a clear area (base plus fog density or D_{min}) must not be greater than 0.10.

(c) Reduction ratio in microfilm systems for agency records must meet the following standards:

(1) For microfilming of documents, a ratio of 25:1 or 24:1 or less is required.

(2) A reduction ratio for microfilm of documents of greater than 25:1 may be used only if the micrographic system can maintain the required quality index at the higher reduction.

(d) “Standard Recommended Practice—Production, Inspection, and Quality Assurance of First Generation, Silver Microforms of Documents”, ANSI/AIIM MS23-1998 is hereby incorporated by reference. Copies of this publication may be obtained by writing to AIIM, 1100 Wayne Avenue, Suite 1100, Silver Spring, MD 20910. (*Oversight Committee on Public Records; 60 IAC 2-2-4; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1360; errata, 10 IR 1884; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1089; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2605*)

60 IAC 2-2-5 Permanency

Authority: IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 5. For records requiring permanent retention, based on an approved retention schedule, the following shall apply:

(1) Raw stock microfilm shall meet the requirements of ANSI/AIIM MS23-1998 and be capable of an LE 500-year rating, be polyester based, and include an antihalation dye system to prevent light scattering and

fogging.

(2) The camera-generated master negative microfilm shall be silver-halide, silver-gelatin, meeting the permanency requirements of ISO 18917.

(3) Camera-generated negatives must be processed according to ISO 18917.

(4) Residual thiosulfate on the film must be measured using the methylene blue test and meet ANSI/AIIM MS23-1998.

(5) The master microfilm record meeting the above criteria shall be stored at a site other than the producing agency’s structure, in a fire-proof vault, in accordance with ANSI/PIMA IT9.11-1998.

(6) In addition to the master microfilm record, which is a security copy, the agency may provide working copies of the microfilm. These may be on silver, diazo, vesicular, dry silver, or transparent electro-photograph film, on a safety base of cellulose ester or polyester material.

(7) “Photography—Determination of residual thiosulfate and other related chemicals in processed photographic materials—Methods using iodine-amylose, methylene blue and silver sulfide”, ISO 18917 (First edition 1999-0601) is hereby incorporated by reference. Copies of this publication may be obtained by writing to ISO, Case postale 56, 1211 Geneva 20, Switzerland.

(8) “Standard Recommended Practice—Production, Inspection, and Quality Assurance of First Generation, Silver Microforms of Documents”, ANSI/AIIM MS23-1998 is hereby incorporated by reference. Copies of this publication may be obtained by writing to AIIM, 1100 Wayne Avenue, Suite 1100, Silver Spring, MD 20910.

(9) “Processed Safety Photographic Films—Storage”, ANSI/PIMA IT9.11-1998 is hereby incorporated by reference. Copies of this publication may be obtained by writing to ANSI, 11 West 42nd Street, New York, NY 10036.

(*Oversight Committee on Public Records; 60 IAC 2-2-5; filed Feb 23, 1987, 11:30 a.m.: 10 IR 1360; filed Dec 19, 1988, 4:45 p.m.: 12 IR 1090; readopted filed Dec 2, 2001, 12:20 p.m.: 25 IR 1268; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2606*)

60 IAC 2-2-5.1 Notice and certification of destruction

Authority: IC 5-15-5.1-5; IC 5-15-5.1-8; IC 5-15-5.1-20

Affected: IC 5-15-5.1

Sec. 5.1. (a) Records that have been microfilmed in accordance with this rule may be destroyed or otherwise disposed of only after:

(1) the agency files a destruction notice with the oversight committee certifying that the records have been microfilmed in accordance with this rule; and
(2) the oversight committee issues a written authorization for the destruction of such records.

(b) The oversight committee shall provide a form for this purpose. (*Oversight Committee on Public Records; 60 IAC 2-2-5.1; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2606*)

60 IAC 2-2-6 Specifications (*Repealed*)

Sec. 6. (*Repealed by Oversight Committee on Public Records; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2607*)

60 IAC 2-2-7 Admissibility in courts (*Repealed*)

Sec. 7. (*Repealed by Oversight Committee on Public Records; filed Mar 28, 2003, 9:38 a.m.: 26 IR 2607*)

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